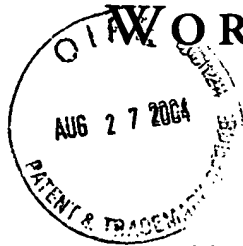




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Express Mailing Label No. EV 462 385 284 US

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PATENT APPLICATION

Docket: 15621.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Byron Merrell

Serial No.: 10/767,838

Filed: January 29, 2004

Confirmation No.: 2983

For: RETORT HEATING APPARATUS
AND METHODS

**Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed May 28, 2004, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- X A Combined Declaration and Power of Attorney executed by the inventors.
- X An Assignment conveying the invention to Oil-Tech, Inc., including a Form PTO-1595 recordation cover sheet.
- A Declaration Claiming Small Entity Status Pursuant to 37 C.F.R. § 1.9 and § 1.27.

☐ The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27

☒ A copy of the Notice to File Missing Parts of Nonprovisional Application \.

☒ A Certificate of Express Mail under 37 C.F.R. § 1.10.

☒ To render the Response timely filed, enclosed is a Petition for a One-Month Extension of Time.

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$385		\$770
TOT. CLAIMS	62-20=	42	X 9=	378	X 18=	
IND. CLAIMS	6-3=	3	X 43	129	X 86=	
MULTIPLE DEPENDENT CLAIM			+145=		+290=	
			TOTAL	892	TOTAL	

☒ Form PTO-2038 submitting Credit Card Payment in the amount of \$1,052 is enclosed to cover:

☒ The \$892.00 government filing fee.

☒ The \$40.00 recordation fee of the enclosed assignment.

☒ The \$55.00 fee for a Petition for an Extension of Time.

☒ The \$65.00 surcharge fee pursuant to 37 C.F.R. § 1.16(e).

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

☒ Any additional filing fees required under 37 C.F.R. § 1.16.

☒ Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

☒ Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. § 1.17.

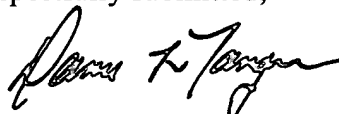
— The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

DATED this 27th day of August 2004.

Respectfully submitted,



DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913
Telephone No. 801.533.9800



Express Mailing Label No. EV 462 385 284 IS

PATENT APPLICATION

Docket: 15621.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
Byron Merrell)
) Art Unit
Serial No.: 10/767,838) 3672
)
Filed: January 29, 2004)
)
Confirmation No.: 2983)
)
For: RETORT HEATING APPARATUS)
AND METHODS)

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

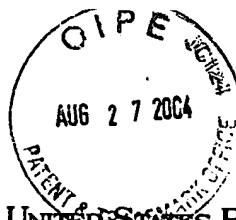
I hereby certify that the following documents are being deposited with the United States Postal Service as Express mail, postage prepaid, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27th day of August 2004:

- Response to Notice to File Missing Parts of Nonprovisional Application (3 pgs.) (in duplicate)
- Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages)
- Petition for an Extension of Time (2 pages) (in duplicate)
- Combined Declaration and Power of Attorney (5 pgs.)
- Assignment with Form PTO-1595 (5 pgs.)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$1,052
- Postcard

Respectfully submitted,

DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913
Telephone No. 801.533.9800

08-30-04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,838	01/29/2004	Byron Merrell	15621.1

CONFIRMATION NO. 2983

022913
WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY)
60 EAST SOUTH TEMPLE
1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

FORMALITIES LETTER



OC000000012808595

Date Mailed: 05/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/30/2004 EFL0KES 00000096 10767838

01 FC:2001	385.00 OP
02 FC:2001	129.00 OP
03 FC:2202	378.00 OP
04 FC:2051	65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1014 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1914 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$1014**
 - **\$258** for **3** independent claims over 3.
 - **\$756** for **42** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE